The Examiner rejected claims 1-11 under 35 U.S.C. 103(a) as being unpatentable over Kawesch in view of Glockler. The applicant submits that these references do not create a prima facia case of obviousness because the combination does not provide every limitation of the claims. Independent claims 1 and 8 recite an inner flow module that directs air above the cornea of the patient. Kawesch discloses a system where air is directed onto the cornea. Additionally, the applicant submits that Kawesch actually teaches away from the present claimed invention. As stated on page 7 of the above-entitled application, the airflow is above the cornea to prevent corneal dehydration. The system recited in the claims of the above-entitled application are trying to avoid what exactly Kawesch is trying to accomplish, that is, dehydration of the cornea. The applicant submits that one skilled in the art would create a system to direct airflow onto the cornea in view of the teaching of Kawesch, not directly above the cornea as recited in the claims. For all of the above reasons the applicant submits that Kawesch and Glockler do not render obvious claims 1-11.

In view of the above, it is submitted that the claims are in condition for allowance. Reconsideration of the rejections is requested. Allowance of claims 1-14 at an early date is solicited.

Respectfully submitted,
IRELL & MANELLA, LLP

Dated: April 3, 2003

BEN J. YORKS
Reg. No. 33,609

840 Newport Center Drive, Suite 400
Newport Beach, CA 92660
949-760-0991

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Wendy Jones 4/3/03
Wendy Jones Date

APPENDIX A

1. (Amended) A system [that can be] used to perform an ophthalmic procedure on a cornea of a patient, comprising:

a patient support that can support the patient;

a light source that can direct a light beam onto the cornea of the patient; and,

an air flow module that can direct a flow of air above the cornea of the patient.

8. (Amended) A system [that can be] used to perform an ophthalmic procedure on a cornea of a patient, comprising:

a patient support that can support the patient;

a laser that can direct a light beam onto the cornea of the patient;

an air flow module that can direct a flow of air above the cornea of the patient;

a portable stand that supports said air flow module; and,

a control console that is coupled to said airflow module.

12. (Amended) A method for performing an ophthalmic procedure on a cornea of a patient, comprising:

directing a flow of air above[across] the cornea;

creating a flap in the cornea;

moving the flap to expose a portion of the cornea;

ablating a portion of the exposed cornea with a laser beam; and,

moving the flap back onto the cornea.